

**Superior Town Council
Town Council Meeting**

**Thursday, June 19, 2008
Superior Senior Center
Superior, Arizona**

M I N U T E S

A. Call to Order

Mayor Hing called the meeting to order at 7:07 p.m.

B. Salute to the Flag

Mayor Hing led the council, staff and audience in the pledge.

C. Opening Prayer

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Cervantes, Second Vice Mayor Lopez, Mayor Hing, Councilmember Heglie, Councilmember Peralta, First Vice Mayor Valenzuela

Members Absent:

A quorum was present and the meeting continued.

E. Proclamation: National Day of the Cowboy

Mayor Hing read the annual proclamation. Ms. Lira gave a brief update on local events that will be hosted by the Superior Chamber of Commerce in conjunction with the National Day of the Cowboy.

F. Consent Agenda

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

- 1. Approval of Minutes for May 15, and June 5, 2008**
- 2. Approval of applications for Parks and Recreation Board Members: Jennifer Johnston, Donnie Hernandez, and Monica Denogean**
- 3. Approval of 2008 Rural Fire Assistance Grant Submittal in the amount of \$6,113.00 (\$5,501.00 grant and \$612.00 match)**
- 4. Approval of 2008 FEMA Fire Assistance Grant submittal in the amount of \$33,936.00 (\$33,936.00 grant and \$1,697.00 match)**
- 5. Approval of Chamber of Commerce Special Event Liquor License**

After review of the consent agenda items Councilmember Peralta made a motion to approve the consent agenda items as presented. Councilmember Heglie seconded the motion. The motion passed unanimously.

G. Communication

1. Manager's Report – Ms. Oliver

Ms. Oliver gave a verbal update from her written report. She updated the council on the various projects currently underway within Superior including the negotiations with the owners of the Magma Hotel, bond with Life Rebuilders, the inmate labor project,. She gave a brief update on current positions filled at the Senior Center . Ms. Oliver reported on the positive outcomes of the budget override election and the Southwest Gas franchise agreement. She also gave updates on the several economic development committee projects including the Magma Club, WiFi Internet the Caboose Visitor Center and the completion of the community development office. She also introduced Ms. Aja DeZeeuw as the new Finance Director for the town and complimented the youth who use the skate park for keeping their area clean..

1. Public Works Report – Becky Brothers

Ms. Brothers gave a brief verbal report in addition to her written report. She stated that they are working on replacing several street signs that need to be replaced, finishing the electrical project at the cemetery, and fling the retention basin at the pool. She also commended the staff on fixing the broken effluent line in an expeditious manner. Mayor Hing directed Ms. Brothers to use cemetery funds to finalize the electrical project at the cemetery so the trenches would not be left open.

1. Library Report

Ms. Campos introduced her new part time library assistants Jennifer Volgart and Tony Solis. She also announced that they had received the LSTA grant the will help to create a Lap Top Computer Lab and will also pay for hiring a trainer to teach residents on computer usage. She also stated that she has received a quote to install a security camera at the library.

1. Senior Center

Ms. Oliver gave a brief update on the Senior Center. She explained that the reporting is now becoming all up to date. She explained that the menus are being published monthly and they also hosted an educational movie called Crystal Darkness. Ms. Oliver also explained that the new kitchen equipment had been purchased and some other smaller kitchen appliances were also ordered with the mini grant the center received.

1. Parks and Recreation

Mr. Hernandez explained that the parks and recreation committee had begun to finalize the plans for Fourth of July and he explained that this year the activities would be centered on Main St. and at the Roosevelt School and that the fireworks would be shot off from Resolution Copper property. In addition to the Fourth of July report he explained that they now have a summer recreation program that is being offered for free to the children in Superior.

A. Call to the Public

Mayor Hing announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the current agenda.

No Calls to the Public were made.

A. Business

Possible Discussion and/or action on the following

Mayor Hing requested that agenda item number in regards to the Superior Marble be moved to item seven on the agenda, and agenda item 7 in regards to the Resolution Copper Mutual Benefits agreement be moved to agenda item number 2.

1. Discuss/Approve/Reject resolution 480 abandoning the utility easement between 69 and 70 S. Mitchell Drive, lot 50 and 51 of Palo Verde Heights No. Two as requested by Joe Hernandez.

Mr. Godinez explained that the resident Joe Hernandez has requested to abandon the easement between 69 and 70 S. Mitchell Dr. He stated that staff recommends approval of this request as long as there are no utilities on the easement. Mr. Godinez stated that the cost incurred to abandon the easement were at the expense of Mr. Hernandez in the

amount of \$450.00. Councilmember Peralta made the motion to approve the resolution to abandon the property contingent on the approval of the utility companies. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously.

1. Discuss/Approve/Reject Resolution Copper Mining LLC Mutual Benefits agreement

Mayor Hing explained that this agreement is a historic agreement and is the first of its kind for a community and a mining company. He stated that there were a few minor changes made after the packets went out and those changes included that the required Social Impact Committee abide by state statutes and town code and that the agreement would be valid until 12/31/2010 just in case the Land Exchange does not get approved until 2010.

First Vice Mayor Valenzuela expressed his concerns that it should not have such a long time to expire because most of the council could change next year and many things can change in a two year period. Mayor Hing stated that this agreement took a long time to complete and he did not want to see more time expended on this issue should the land exchange not be complete by December 31, 2008. Councilmember Peralta explained that the town needed to get this agreement finalized.

Councilmember Peralta made a motion to approve the Mutual Benefits Agreement with Resolution Copper. Councilmember Heglie seconded the motion. The motion passed unanimously.

Following the vote Mr. Hawkins and Mr. Ober with Resolution Copper gave an update on the progress of the Land Exchange legislation and also gave a brief synopsis on some of the changes to the Land Exchange legislation. They thanked the Mayor and Council for their ongoing support and also reminded the public to attend the pre-feasibility study hearing on June 25, 2008.

1. Discuss/Approve/Reject Bids for Main Street Improvements and award contract to lowest bidder

Ms. Oliver explained that the bids were received and that after review of the Bids Cactus Asphalt was the lowest bidder. She explained that their references were available in the packet. She also explained that the town is still working with CAAG on receiving additional funds from the TIP and she would be meeting with the Town of Miami and the City of Globe to negotiate for funds they are not ready to use. She asked that two motions be made for this item. The first motion would be to accept the lowest bid and the second motion would be to award the contract.

Councilmember Heglie made a motion to accept the lowest bidder. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Councilmember Peralta made a motion to award the contract to the lowest bidder provided the proper licenses and insurances are complete. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

1. Discuss/Approve/Reject Public Safety reorganization of the Fire and Police Departments with the addition/creation of Job Positions/descriptions of Lieutenant/Watch Commander, Operations Chief/Fire Marshall, Public Safety Administrative Assistant and Public Safety Director and the abolishing of the positions of Assistant Fire Chief and Police Chief Administrative Assistant

Ms. Oliver explained that this item had been discussed in a previous meeting and also in the budget meeting and that she was coming to the council to seek approval of the agenda item.

Councilmember Heglie made a motion to approve the public safety reorganization. Councilmember Cervantes seconded the motion. The motion was approved unanimously.

1. Discuss/Approve/Reject Resolution 482, A Resolution of the Mayor and council of the Town of Superior, Pinal County, Arizona confirming adoption of the tentative estimates of the amounts required for public expenses for the Town of Superior for fiscal year 2008-2009, confirming the adoption of the tentative budget; setting forth the receipts and expenditures; giving notice of time for hearing taxpayers, and for adoption of the final budget.

Ms. Oliver explained that there were a few minor changes to the budget including the addition of a part time parks and recreation director and the movement of the funds allocated for the Main St. project. She also thanked staff for making the cutbacks to their budget. Ms. Oliver also explained several ways she sees the town able to increase revenues for the community. She also announced that there would be a hiring freeze would be in effect.

Vice Mayor Lopez made a motion to approve the budget. Councilmember Heglie seconded the motion. The motion passed unanimously.

Ms. Oliver read the heading for resolution 482. Councilmember Heglie made a motion to approve the resolution adopting and filing the budget. Councilmember Cervantes seconded the motion. The motion passed unanimously.

1. Discuss/Approve/Reject primary property tax for the fiscal year 2008-2009

Ms. Oliver explained that staff recommended keeping the primary property tax in place with no change because the full process to change it was not completed there for the town could not increase the primary property tax. Vice Mayor Lopez made a motion not to increase the primary property tax. Councilmember Heglie seconded the motion. The motion passed unanimously.

1. Discuss/Approve/Reject Resolution 481, abandoning the drainage easement over lot 1 of the Final Plan of Superior Industrial Park as requested by Superior Marble

Ms. Oliver explained that Willdan made several mistakes in regards to this request. She announced that John Morris with the CK group would be handling this item. She recommended tabling this item until staff could complete this successfully.

Councilmember Heglie made a motion to table this item. Vice Mayor Lopez seconded the motion. The motion passed unanimously.

A. Council Comments

Councilmember Heglie

Stated that he was pleased to have finalized the agreement with Resolution Copper.

Councilmember Cervantes

No Comments

Second Vice Mayor Lopez

Stated that she was also please to have finalized the agreement with Resolution Copper.

Councilmember Peralta

No Comments

First Vice Mayor Valenzuela

No Comments

Mayor Hing

Stated that the current Council has made some big changes and has started to see progress. He also stated that he was pleased this landmark agreement was approved and explained that this type of agreement was the first of its kind.

Mayor Hing announced that there would be an executive session. Councilmember Peralta made a motion to adjourn the meeting to executive session. Vice Mayor Lopez seconded the motion. The motion passed unanimously. The regular session adjourned at 8:31 p.m.

K. Executive Session

The Town Council may or may not vote to go into Executive Session pursuant to ARS 38-431.03 (A-1),

(A-3) & (A-7)

(A-1) – Personnel

(A-3) – Legal Advice with Attorney

(A-7) – Legal Advice on Sale, Lease, or Purchase of Real Property:

1. Employment and related issues of Chief of Police Luigi Digirolamo

Mayor Hing called the regular session to order at 8:54 p.m.

L. In Public Session

1. Discuss/Reject/Approve employment and related issues of Chief of Police, Luigi Digirolamo
Councilmember Heglie made a motion to approve Chief Digirolamo as the Public Safety Officer with appropriate changes made to the contract. Councilmember Peralta seconded the motion. The motion passed unanimously.

M. Adjournment

Vice Mayor Lopez made a motion to adjourn the meeting. Councilmember Peralta seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:56 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 19th Day of June 2008. I further certify that the meeting was duly called and held and that a quorum was present.

/s/

Melanie Oliver

Melanie Oliver

Interim Town Manager

These minutes have been transcribed and compiled by
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